

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NEARBY SYSTEMS LLC,

Plaintiff,

v.

RENT-A-CENTER, INC.,

Defendant.

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CIVIL ACTION NO. 2:22-CV-00224-JRG-RSP
(LEAD CASE)

ORDER

Defendant Rent-A-Center, Inc. (“RAC”) previously filed a Motion for Summary Judgment of Noninfringement (Dkt. No. 37.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 49), recommending denial of RAC’s motion. Because no objections have been filed and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Motion for Summary Judgment of Noninfringement (Dkt. No. 37) is **DENIED**.

So Ordered this

May 18, 2023



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE